making a difference

Maternity Action
Fifth Anniversary Impact Report
(2009-2014)
Maternity Action is the UK’s leading charity committed to ending inequality and improving the health and well-being of pregnant women, their partners and children – from conception through to the child’s early years. We will continue to campaign for the rights of pregnant women, new parents and their families.

### Foreword

When Maternity Action commenced full-time operations in 2009 it set out to tackle inequalities, discrimination, disadvantage, poor health and poverty linked to pregnancy and maternity.

Over the past five years Maternity Action has developed a well-respected and widely used information and advice service on maternity rights at work, maternity benefits and breastfeeding rights. It has taken an active role in policy analysis, advocacy and campaigning and had a significant impact in championing maternity rights at work, challenging pregnancy discrimination, improving breastfeeding rights and improving support for vulnerable migrant, refugee and asylum seeking women. It has developed strong and effective partnerships with organisations that share our goals.

In its fifth anniversary year Maternity Action’s work is still as relevant as it was when we began. I am honoured to be associated with Maternity Action and commend this report as both a record of our achievements and a commitment to continue making a positive difference to the lives of women, their partners and children.

Judith Cook, Chair

Happy 5th Birthday Maternity Action! Maternity Action has a proud history of raising the awareness of the rights of pregnant women, young children and their families and fighting inequalities such as pregnancy discrimination, which is illegal, immoral and completely unacceptable.

I wish Maternity Action well in continuing the important work campaigning for maternity rights over the next five years and beyond.

**Jo Swinson MP**, Parliamentary Under Secretary of State for Employment Relations and Consumer Affairs
On the occasion of Maternity Action’s fifth anniversary, we celebrate how we have made life better for thousands of people: pregnant women, new parents and their families. We are very proud of our achievements, which are compiled in this Anniversary Impact Report. It tells the story of the past five years, from 2009 to 2014.

This report highlights our work on the following key areas:

- Advising women and their partners
- Defending maternity rights at work
- Challenging pregnancy discrimination
- Improving breastfeeding rights
- Improving support for asylum seeking women
- Protecting the rights of migrant women
- Defending migrants’ access to NHS care

Happy Birthday Maternity Action! Over the last five years the campaign has been a lifeline to women facing benefit cuts, pregnancy discrimination and the sack. While unions continue to defend pregnant women’s rights and win agreements that offer more than the statutory minimum, leave and pay, we know there are many women in non-unionised workplaces who rely on the support of organisations like Maternity Action. Together we’re working hard to defend all women’s rights, push for better enforcement and fair access to justice, and to halt the heartless plans for NHS charging which will price many migrant women workers out of antenatal and maternity care.

Frances O’Grady, General Secretary, Trades Union Congress (TUC)
Advising women and their partners

Too few people know their rights. Maternity Action’s consultations identified a need for information and advice on benefits for pregnant women and new parents, as there are limited sources of guidance.

Since 2009, Maternity Action has become the leading source of specialist online information on maternity rights at work, maternity benefits and breastfeeding rights. We now have 50 information sheets, all kept rigorously up-to-date, and these are downloaded an average of 11,000 times each month.

Maternity Action started delivering telephone advice in 2011 and now logs 2,500 calls each year. Demand for our advice service continues to grow – we receive 20 times more calls than we can answer with current staffing – but funding the service is problematic in the current environment.

A detailed evaluation of our service in 2013 found that all callers surveyed were more confident as a result of the advice call. As a result of the advice and support provided, callers reported receiving additional pay or allowances, being able to negotiate flexible working arrangements and additional leave, retaining their job and resolving potential discrimination claims.

In only a few short years Maternity Action has not only established itself as an essential source of advice and information to women on pregnancy and maternity law issues but has also worked tirelessly to raise awareness of these issues amongst midwives, employers and law and policy makers, bringing about real change for those women. We are very proud to work alongside them.

Emma Scott, Director, Rights of Women
Defending maternity rights at work

Unfair – and unlawful – treatment of pregnant women and new mothers at work is still too common and has risen since the economic downturn. It is estimated that more than 60,000 women lose their jobs each year after becoming pregnant and a further 200,000 face unfair treatment as a result of their pregnancy. Maternity Action believes that everyone’s rights should be respected.

In 2009, we brought together a coalition of groups to work on maternity rights in the workplace. We challenged attempts to weaken pregnancy discrimination provision in the Equality Bill, and succeeded in preserving a sound legal framework for women.

In 2010, we campaigned in support of improvements to the EU Pregnant Workers Directive. We organised a roundtable of voluntary groups, health organisations and unions to meet with the Department of Business, Innovation and Skills to communicate the importance of these changes. We actively campaigned for support from MEPs and amendments to strengthen maternity rights at work were passed by the European Parliament. Disappointingly, these initiatives were later blocked by the UK Government and Council of Ministers.

In 2011, we produced the report, *Health and equality impacts of well paid parental leave*, in partnership with the Women’s Health Equality Consortium (WHEC). This report was influential in refocusing policy debate on the role of employment law in protecting the health and well-being of mothers and babies during Government consultations on Shared Parental Leave proposals. In the same year, we produced a series of briefings on Shared Parental Leave, which were influential in the substantial redesign of Shared Parental Leave following initial government consultations.

In 2012, we convened and led the Valuing Maternity campaign to defend maternity rights and protect maternity services. Consisting of women’s organisations, advice agencies, health groups, unions and parenting groups, the campaign was effective in stimulating a wide ranging debate about the reshaping of maternity and parental leave. Our seminar, ‘Shared Parental Leave: Health and Equality Impacts’, involved presentations from policymakers, academics, health workers, advice agencies and unions and was attended by 90 people and 280 women completed our online survey on pregnancy discrimination. Over 500 women completed our online survey on maternity benefits.

When maternal and paternal rights are respected, we reduce gender inequality and improve the health of women and children. The introduction of shared parental leave from April will mean men as well as women taking leave to look after their new baby. This will help to stamp out outdated stereotypes about who should do what, and let parents get on with making their own decisions about how they manage work and family life.

Jo Swinson MP, Parliamentary Under Secretary of State for Employment Relations and Consumer Affairs
Challenging pregnancy discrimination

Despite laws prohibiting unfavourable treatment of pregnant women at work, increasing numbers of women in the UK are losing their jobs as a result of their pregnancy. Few women take formal action and changes to Government policy have made it more difficult and more expensive for women to exercise their rights.

We convened the Alliance Against Pregnancy Discrimination in 2009 in response to indications of a significant increase in the rates of unfair and unlawful treatment of pregnant women and new mothers at work following the economic downturn. We were particularly concerned about women unfairly selected for redundancy because of their pregnancy. The Alliance brought together unions, advice agencies, health groups and parenting organisations to raise awareness of pregnancy discrimination and campaign for Government action.

In 2011, Maternity Action chaired a roundtable of lawyers, unions, employer bodies and advice agencies to produce guidance for employers on managing redundancy and maternity. The guidance was jointly published by ACAS (Advisory, Conciliation and Arbitration Service) and the Equality and Human Rights Commission (EHRC).

In 2012 Maternity Action opposed the introduction of a fee regime in employment tribunals as this would exacerbate the extremely high incidence of pregnancy discrimination and low rates of redress.

In 2013, we drafted the section on pregnancy discrimination in the UK Shadow Report to the periodic review undertaken by the Convention on the Elimination of Discrimination Against Women (CEDAW) committee. We submitted a briefing to the CEDAW committee in Geneva. This resulted in a recommendation on pregnancy discrimination in the CEDAW report on the UK. The UK government is required to report against these recommendations in future CEDAW reviews.

In late 2013, the Government announced £1 million for the EHRC to undertake research into pregnancy discrimination. Maternity Action is now working with the EHRC on projects associated with this research programme.

Maternity Action is brilliant to work with. Their focus on those women who are most disadvantaged is vital. Working with Maternity Action enhances what the Royal College of Midwives could ever achieve on our own and we look forward to continuing to campaign together.

Cathy Warwick, General Secretary, Royal College of Midwives
Improving breastfeeding rights

Enabling women to continue breastfeeding on return to work makes it possible for more women to breastfeed longer and helps normalise breastfeeding, which has significant health benefits. Many women stop breastfeeding when they return to work.

In 2011 and 2012, we campaigned for the statutory right to breastfeed on return to work. This would have brought the UK into line with 90 other countries. Although this was rejected, we gained a Government commitment to produce ACAS guidance. We worked with ACAS to develop ‘Accommodating Breastfeeding Employees in the Workplace’, which was released in 2014.

We developed a leaflet for employers on accommodating breastfeeding at work, which is due for release in November 2014. This innovative project has attracted interest groups in the UK and internationally.

There is ongoing demand for our information sheets for women on breastfeeding rights at work and breastfeeding in public places.

Maternity Action speaks up – distinctly and powerfully – for some of the most vulnerable members of our society: women seeking asylum in the UK and who are pregnant or new mothers. That their needs are now far better understood and addressed by health professionals and the Home Office is thanks to Maternity Action’s tireless, expert advocacy.

Maurice Wren, Chief Executive, Refugee Council
Improving support for asylum seeking women

Asylum seeking women have significantly higher rates of maternal death and poorer maternal health than the rest of the population. Home Office policies on asylum are not conducive to good maternal health.

In 2009, we started campaigning with the Asylum Support Appeals Project and the Royal College of Midwives to address destitution during pregnancy for asylum seekers whose claim had been refused. In 2012, we undertook research work with the Asylum Support Appeals Project (ASAP) to explore options for strategic litigation in this area.

In 2010, working with the Women’s Asylum Charter, we successfully influenced the Home Office to expand timeframes for applications for maternity benefits for asylum seekers. This meant that more women were able to purchase cots, nappies and other equipment prior to the birth and fewer missed out on benefits due to late claims. In the same year, we persuaded the Home Office to make explicit provision for transport to hospital for asylum seeking women in labour.

In 2013, we released the research report, *When Maternity Doesn’t Matter: Dispersal of pregnant women claiming asylum*, as part of a joint project with the Refugee Council. The report found that asylum seeking women were commonly relocated away from friends, family and maternity services, against medical advice, and close to their due dates, with many moved multiple times during their pregnancy and postnatally. We jointly held a Parliamentary launch, produced a campaign video and ran an e-campaign. We also established a working group which met with the Home Office; the group consisted of representatives from the Royal College of Midwives, the Royal College of Obstetricians and Gynaecologists, the Royal College of Psychiatrists and the Royal College of Paediatrics and Child Health. As a result, the Home Office committed to revising its guidance on the dispersal of pregnant women. Negotiations are in progress.

Between 2011 and 2013, we developed a training course for midwives on improving care for refugee and asylum seeking women and trained over 400 midwives in NHS trusts across the UK. An evaluation of the project found significant positive impacts on midwifery practice and improvements in care pathways for vulnerable women.

Migrant mothers are the unsung heroes of community cohesion in many local communities in Britain. Maternity Action has been their campaigning friend during times when they have battled to make the NHS more responsive to their needs. Much more remains to be done, and we need a strong Maternity Action to make sure that it gets done properly!

Don Flynn, Director, Migrants’ Rights Network
Protecting the rights of migrant women

The rules relating to NHS entitlement are very complex. Combined with the complexities surrounding immigration status, this has given rise to a great deal of confusion. The result of this has been a common tendency for GP practices to refuse to register patients who are recent migrants, regardless of their immigration status.

In 2009, we found that many migrant women were unaware of their entitlement to Maternity Allowance. We successfully campaigned for the Home Office and Department of Work and Pensions to revise the leaflets and online information to clarify entitlements to Maternity Allowance. This is particularly important for low income women in insecure employment.

We produced information on maternity rights at work in Polish, South American Spanish and Brazilian Portuguese, working in partnership with community organisations.

In 2012, we developed guidance for those who commission NHS services for vulnerable migrant women, working in partnership with the WHEC.
Defending migrants’ access to NHS care

Currently many migrants are charged for NHS maternity care despite this care being classed as ‘immediately necessary treatment’, which should not be refused or delayed for any reason. Charging has been found to deter vulnerable migrant women from seeking essential maternity care.

In 2010, we influenced the Department of Health guidance on charging to clarify the role of health staff in ensuring access to maternity care for pregnant women. We also influenced NICE (National Institute for Health and Care Excellence) guidance to include training for midwives on entitlement to NHS maternity care and provision of information on entitlements to women who may be subject to charging.

In 2013, we convened a group of maternity organisations to encourage wider engagement with Government consultations on expanding the scope of charging policies.

In 2014, Maternity Action and the Royal College of Midwives engaged with Parliamentarians, civil servants and Bishops to secure over a dozen joint-sector meetings, as well as organised a high profile House of Lords briefing event to raise awareness of the impact of the Immigration Bill on vulnerable groups, such as pregnant women and children. We also gained cross-party support in the House of Lords for an amendment to the Immigration Bill to better protect access to maternity care for vulnerable migrant women. Whilst the amendment, ultimately, was not adopted by the Government, our efforts helped significantly to raise the profile of this important issue.

Maternity Action’s campaign in response to the proposed NHS charges in the Immigration Bill successfully helped to raise broad awareness of the vital importance of access to maternity care for all pregnant women and their babies. Whilst my amendment to exempt migrant pregnant women from charging, ultimately, was not accepted by the government, we secured cross-party support and recognition on an important issue that has rarely been debated in Parliament. I support Maternity Action’s continued efforts to minimise the impact of this legislation on vulnerable pregnant migrant women across the country.

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Thank you

Maternity Action’s achievements would not have been possible without the continuous hard work and dedication of our trustees, staff and volunteers. The following people have been trustees over the last five years: Maurina Baron, Susan Bewley, Catherine Callens, Vicky Carne, Judith Cook, Jenny Earle, Carolina Gottardo, Alison Macfarlane, Scarlett McCwire, Sarah LaPham, James Rowe and Moyra Rushby.

Special thanks to Rosalind Bragg, Director of Maternity Action, whose strategic vision and energy has led to the establishment of a bold and dynamic campaigning organisation. We also wish to thank our other staff members and volunteers, past and present, which include: Darinka Aleksic, Helen Beecher Bryant, Eve Blair, Richard Dunstan, Maddy Evans, Mark Evans, Rayah Feldman, Roz Hampson, Amber Hayward, Sushi Juggapah, Rosemarie Koroma, Susy Langsdale, Naoise McGeer, Rachael Owens, Beba Parker, Chloe Peacock, Grace Pollard, Annah Psarros, Kirsten Short, Polly Trenow, Katie Warwick and Katie Wood.

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